

REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 46-67 were pending in this application. Claim 48 has been cancelled, claims 49, 50 and 52 have been amended hereby to correct matters of form, and claims 66 and 67 have been withdrawn by the Examiner. Accordingly, claims 46, 47, and 49-65 will be pending herein upon entry of this Amendment. For at least the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed May 20, 2005, claims 47 and 57 were rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1 and 23 of prior U.S. Patent No. 6,325,435; claims 46, 48-56, and 58-65 were rejected under the judicially created doctrine of obviousness-type double patenting; and claim 56 was objected to under 37 CFR 1.75 as being duplicative of claim 48. To the extent these rejections might still be applied to claims presently pending in this application, they are respectfully traversed.

Regarding the rejection under 35 U.S.C. § 101, Applicant respectfully submits that claims 47 and 57 are not identical to claims 1 and 23, respectively of U.S. Patent No. 6,325,435 (the ‘435 patent) as is required to sustain such a rejection. Both claims of the ‘435 patent recite that the heat supply units are “switchable on and off independently of other heat supply units.” Claims 47 and 57 each merely recite that the heat supply units be “switchable on and off.” Because these claims are not identical, Applicant respectfully requests withdrawal of this rejection.

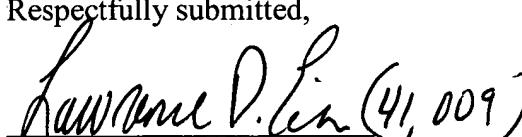
As to the obviousness-type double patenting rejection, Applicant submits concurrently herewith a Terminal Disclaimer in compliance with 37 CFR 1.321(c) as recommended by the Examiner.

Regarding the objection to claim 48, Applicant has canceled this claim without prejudice or disclaimer to the subject matter thereof. In reviewing the claims in response to this objection, it also appears that claims 49, 50, and 52 would be duplicative of claims 60, 61, and 62, respectively, in a similar fashion. Accordingly claims 49, 40, and 52 have also been canceled.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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